

BAR-BENCH-MEDIA CONFERENCE**MINUTES OF JANUARY 14, 1999 MEETING**

The Bar-Bench-Media Conference convened at 12:30 p.m. on January 14, 1999 at the Supreme Court Conference Room in the Carvel State Office Building in Wilmington and by videoconference in the Superior Court Judges Chambers in Dover. The meeting was open to the public. Present were (in Wilmington unless otherwise noted):

Members from the Bench

Judge Henry duPont Ridgely (Dover)
Judge John K. Welch
Justice Randy J. Holland
Judge Roderick R. McKelvie

Members from the Bar

Richard D. Kirk (chair)
Eugene H. Bayard (Dover)
Howard M. Handelman

Members from the Print Media

Rita Farrell
John H. Taylor, Jr.
James Flood (vice chair)(Dover)

Members from the Electronic Media

William D. Osborne
Todd Halliday
Bruce Fox

Excused absences were Vice Chancellor Jack B. Jacobs, Judge Vincent J. Poppiti, and Marilyn Buerkle.

1. **Minutes of November 12, 1998**

The members approved minutes of the meeting held on November 12, 1998, which were distributed in draft with the agenda. A copy will be sent to the repository care of Steve Taylor, Supreme Court Administrator.

2. **Constitution**

The members briefly reviewed the Constitution of the Bar Bench Media Conference and noted its history and inconsistencies with current practice. The chair volunteered to work

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with Howard Handelman to produce a working draft of a revised constitution that would at least state current practice, while recognizing that the media representatives will not be able to sign onto a binding set of regulations..

3. Old Business

Rita Farrell brought several issues to the group for discussion. The first was access to the courts of Delaware, and in particular access to records by means of computer. Justice Holland mentioned the State's Administrative Office of the Courts, which is planning to engage a press relations officer to make media access to all state courts easier. Judge McKelvie described the federal court system, where a private lawyer serves as ombudsman for the court to handle complaints about of difficulties with court staff. Judge Ridgely mentioned that Superior Court in New Castle County will soon implement an experiment involving electronic filing for all matters (not just certain designated complex matters).

It was suggested that the Conference, perhaps through the Bar Association, could identify lawyers who would be available to answer media and public questions on topics that arise in noteworthy proceedings.

Judge Ridgely mentioned a publication of the American Bar Association, the Reporter's Key, that deals with the often conflicting rights of fair trial and free press. The Conference may wish to review that publication with an eye toward adapting it to fit Delaware practice.

Other discussion occurred regarding the recently concluded Capano trial. Some minor logistical problems (such as regarding seating) were mentioned. The Conference may be useful in mediating such disputes in the future.

4. New Business

No new business was introduced.

Next Meeting

The next meeting will be held on March 31, 1998 at the State Conference Room at the Smyrna Rest Stop on the duPont Highway (Route 13).